

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN THE MATTER OF:**

**LUCY LOPEZ ROIG E.A.P., INC.**

**Debtor**

**CASE NO.: 16-09790 (MCF)**

**CHAPTER 11**

**APPLICATION FOR APPROVAL OF EMPLOYMENT OF ACCOUNTANT  
TO THE HONORABLE COURT:**

**COMES NOW** Lucy Lopez Roig EAP, Inc., the Debtor in possession herein, through the undersigned counsel, who respectfully States and Prays as follows:

1. On December 16, 2016, the above captioned Debtor filed a petition under the provisions of Chapter 11 of the Bankruptcy Code. The Debtor will continue to manage its properties and operate its business as debtor in possession pursuant to Sections 1101 and 1107 of the Title 11 of the United States Code.
2. Section 327(a) of the Bankruptcy Code provides as follows:

"§ 327. Employment of Professional Persons,

(a) Except as otherwise provided in this section, the trustee, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title."
3. The Debtor desires to retain the professional services of Jose Victor Jimenez, CPA, CVA, CIRA of Jimenez Vazquez & Associates, PSC.

4. Jimenez Vazquez & Associates, PS's address is Calle 8 D - 1 Valparaiso, Toa Baja, P.R. 00949; Postal address is P.O Box 3774, Bayamon, PR 00958, and telephone number is 787.447.0098 and fax numbers are 1.831.309.7425 and 939.338.2362.
5. To the best of our knowledge and belief Jose Victor Jimenez, CPA, CVA, CIRA of Jimenez Vazquez & Associates, PSC, and the staff of his firm, are "disinterested persons", as said term is defined in 11 USC 101(14), which definition is incorporated herein by reference; they do not represent any creditor in this case or any interested party herein, nor any one acting on their behalf, whose interest may be adverse to debtor's estate; they have no connection with debtor, nor with their respective attorneys and accountants, nor with the US Trustee, or any person employed in any capacity with the office of the US Trustee in any office in or outside the continental United States, and furthermore, represent no adverse interest to the estate herein. Moreover, they have not acted as an investment banker or represented an investment banker with respect to the sale of security of the debtor or under any other circumstances.
6. In compliance with 11 USC §327 and §504 of the Bankruptcy Code, a certificate executed by Jose Victor Jimenez, CPA, CVA, CIRA of Jimenez Vazquez & Associates, PSC, along with a statement of qualifications or curriculum vitae as required by LBR 2014-1 are included as attachments to this application.
7. If the appointment of Jose Victor Jimenez, CPA, CVA, CIRA of Jimenez Vazquez & Associates, PSC, is approved by this Honorable Court, the fees to be paid are as follows: \$155.00, per hour, for the services rendered by Mr. Jose Victor Jimenez, CPA. CVA, CIRA.
8. The payment of fees shall be made only upon application to and approval by this Honorable Court as provided by Section 331 of the Bankruptcy Code.
9. A retainer in the amount of \$4,500 has been required in this case and was paid by the Debtor.

10. Pursuant to the Federal Rule of Bankruptcy Procedures 2014 and the provisions of 11 U.S.C.

327 (a), a copy of this application has been served to the US Trustee and to all creditors and parties of interest as per the master address list herein attached.

**WHEREBY**, based on the foregoing, Debtor respectfully requests that it be granted leave to retain the professional services of Jose Victor Jimenez, CPA, of Jimenez Vazquez & Associates, PSC, as accountant for the Debtor

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 19<sup>th</sup> day of December, 2016

**NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST.**

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (I) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

**CERTIFICATE OF SERVICE:** I hereby certify that on even date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all registered parties as follows, and by First Class Mail to all creditors and parties in interest as pre the Master Address list herein attached.

- **CARMEN D CONDE TORRES** notices@condelaw.com
- **MONSITA LECAROS ARIBAS** ustpreion21.hr.ecf@usdoj.gov

**C. CONDE & ASSOC.**

**Attorney for Debtor**

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[/s/Carmen D. Conde Torres](#)

**CARMEN D. CONDE TORRES**

**USDC No. 207312**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN THE MATTER OF:**

**LUCY LOPEZ ROIG E.A.P., INC.**

**Debtor**

**CASE NO.: 16-09790 (MCF)**

**CHAPTER 11**

**VERIFIED STATEMENT**

I, Jose Victor Jimenez, CPA, CVA, CIRA do hereby certify under penalty of perjury that the following is true and correct:

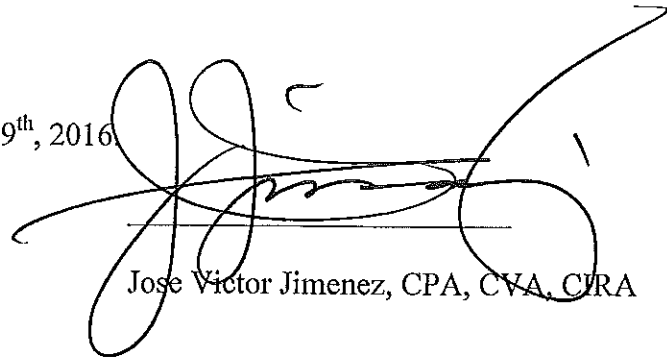
1. I am a Certified Public Accountant with License No. 1715 issued by the Puerto Rico Board of Accountants, authorized to practice in Puerto Rico, principal of Jimenez Vazquez & Associates, PSC. I am also a Certified Valuation Analyst and a Certified Insolvency and Restructuring Advisor. My professional curriculum vita is attached to this statement.
2. My offices are located at Calle 8 D - 1 Valparaiso, Toa Baja, P.R. 00949. My postal address is P.O Box 3774, Bayamon, PR 00958. Telephone number is 787.447.0098 and fax numbers are 1.831.309.7425 and 939.338.2362.
3. To the best of my knowledge and belief, the undersigned, as well as all persons in my accounting firm, including CPA's and support staff, are "disinterested persons", as said term is defined in 11 USC §101(14), which definition is incorporated herein by reference, and do not represent any creditor in this case, nor any interested party herein, nor anyone acting on their behalf, whose interest may be adverse to the debtor's estate; I have no connection with the debtors, nor with their respective attorneys and accountants, nor with the US Trustee, or any

person employed in any capacity with the office of the US Trustee in any office in or outside the continental United States.

4. I have agreed to perform the following tasks for the debtor: Assist the debtor in gathering and compiling the necessary information required to file the Chapter 11 Petition and court required information and schedules, provide consulting services and assist the debtor and her attorney in documenting the reorganization plan to be filled in the case; prepare monthly operating reports, prepare financial projections and other relevant information as required and necessary, prepare all necessary tax returns to ascertain debtor is in full compliance with her fiscal responsibilities, assist the debtor and her attorney in all matters related to court instructions, transactions, and or information requests of an accounting or financial nature.
5. It has been agreed between debtor and the undersigned Accountant that fees will be paid at the following rates: \$155.00 per hour. Payment of said fees shall be made only upon application to and approval by this Honorable Court, as provided by the Bankruptcy Code.
6. A retainer in the amount of \$4,000 has been required in this case and was paid by debtor.
7. There is no agreement on the part of the undersigned for the sharing of any of the compensation to be received for the services to be rendered to the Debtor, except with members of the same firm.
8. I will amend this statement immediately upon my learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstances relating thereto.
9. I have reviewed the provisions of LBR 2016-1.
10. A copy of my application has been served upon the U.S. Trustee, pursuant to Federal Rule of Bankruptcy Procedures 2014-1.

11. That this verified statement if provided in compliance with Section 327(a) of the Bankruptcy Code, and Federal Rule of Bankruptcy Procedures 2014-1, for the purpose described above with compensation to be allowed upon prior application notice and hearing there on, if necessary.

In San Juan, Puerto Rico, this December 19<sup>th</sup>, 2016

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over a horizontal line.

Jose Victor Jimenez, CPA, CVA, CIRA

## **APPENDIX**

### **CURRICULUM VITAE**

**JOSE VICTOR JIMENEZ, CPA, CVA, CIRA**

#### **EDUCACION**

BA University of Puerto Rico, Rio Piedras Campus, 1981

*Numerous Continuing Education Courses* to meet certification requirements as a Certified Public Accountant (CPA), Certified Valuation Analyst (VCA) and Certified Insolvency and Restructuring Advisor (CIRA) which include courses in business valuation issues, damages, various intangibles, tax and accounting matters.

#### **PROFESSIONAL CREDENTIALS AND MEMBERSHIPS**

Certified Public Accountant, Puerto Rico. (License 1715) (1984)

Certified Valuation Analyst and member, National Association of Certified Valuation Analyst –Registration 20761 (2004)

Certified Insolvency and Restructuring Advisor (CIRA) (Registration 1730) and member of the Association of Insolvency and Restructuring Advisors (AIRA)

Member, American Institute of Certified Public Accountants

Member, Puerto Rico Society of Certified Public Accountants

Certified Government Financial Manager (1977), Association of Government Accountants  
Real Estate Broker

#### **PROFESSIONAL EXPERIENCE**

*President of Jimenez Vazquez & Associates PSC (2004 to date)* a Certified Public Accounting and Business Consulting firm organized by Jose Victor Jimenez CPA, CVA, CIRA The Firm was established to provide integrated service solutions to the business community in the areas of accounting, auditing, taxation, business development advisory, litigation and turnaround services, including assistance to reorganization proceedings.

*Former Partner of Falcón Sánchez & Associates CPA (1995-2009)* in charge of the Audit and Accounting Outsourcing Department

*Former Partner of De Jesus Jimenez Company (1990-1994)* in charge of the Audit and Consulting Department

*Former Senior Manager in KPMG (1981-1989)* which served in a significant number of clients in a wide variety of industries. In this position serviced clients in Puerto Rico and provided services to clients based in the Virgin Islands and the United States. Gained extensive consulting and auditing experience in the areas of insurance, construction,

manufacturing, health care, service, wholesales, ad retailers, government and other nonprofit organizations.

**Specific Experience in providing**

*Public Accounting Services and Consulting* to clients in the following industries:

- Manufacturing and Distribution
- Agricultural
- Health (hospitals)
- Education
- Services, including personal professional services
- Bottling
- Construction
- Retail
- Mortgage Banking
- Real Estate
- Insurances
- Utilities

*Numerous valuations for business* such as:

- Warehousing
- Professional services practices
  - Dental
  - Medical
  - Accountants
  - Lawyers
- Retail Sales (including gasoline stations)
- Exclusive distribution and sales contracts
- Business Innovation
- Software Development
- Gasoline and Car Washing Services
- Job Shops

These valuations have been used for fairness opinion and state tax planning and transfers, asset allocations, sales and purchases of businesses, business and marital dissolutions and litigation cases.



## **Litigation and Forensic Services Experience**

Several cases involving determination of economic loss resulting from injury, breach of contract and determining present value of damages.

*Significant number of Chapter (11) Cases engaged as case accountant to perform services such as:*

- Monthly operating reports and accounting write ups
- Liquidation Analysis
- Payment Plans
- Financial Projections
- Deposition and trial experience as expert witness of case

*Industries:*

- Retail
- Real Estate Ownership Management
- Manufacturing
- Professional Services
- Construction
- Health
- Hospitality
- Care for the orderly

*Depositions and trial experience:*

Experience in providing testimony at trial or by deposition in several cases in Puerto Rico and US Courts.

### Cases-Puerto Rico Courts

- William Agosto vs Obdulio Matias (CV VAC 04-3092 “Expert witness” Loss of Profit Claim)
- Chic vs Pizzi (Arbitration No. 50T1816016404 “Damage Claim”)
- Torres vs Vazquez (Civil DD1-04-227 “Expert witness – Loss of Value Claim)
- Wanda Gonzalez vs Autoridad de Carreteras (Civil DFDP03-0135) “Expert witness-Loss of Profits”

### Cases-US Court for the District of Puerto Rico

- George Stewart (CAS) vs HUSQUARNA NORTH AMERICA (Civil 11-11082) Act 21 Case Damage Claim-“Expert Witness”

## **ARTICLES**

The following list of various Articles recently written:

- “The Value of your Business”
- “Notes over Financing Activities”
- “The Real value of your Business”, published by the Puerto Rico Society of Certified Public Accountants Magazine

Label Matrix for local noticing  
0104-3  
Case 16-09790-MCF11  
District of Puerto Rico  
Old San Juan  
Mon Dec 19 12:22:57 AST 2016

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End of Label Matrix  
Mailable recipients 49  
Bypassed recipients 0  
Total 49